

KANSAS HEALTH POLICY AUTHORITY BOARD

FINAL RESOLUTION FOR DELEGATION OF AUTHORITY

November 14, 2006

WHEREAS, a substantial portion of the work of the Kansas Health Policy Authority ("KHPA") involves the purchase of goods and services, and the outsourced operation of programs by contract providers funded by KHPA; and

WHEREAS, many of the contracts entered into by KHPA represent a continuation, modification or adjustment in existing programs, as well as conduct of what might reasonably be described as "ordinary course of KHPA operations;" and

WHEREAS, the statutory process for purchase of goods and services contemplates the development of a Request for Proposal (RFP) or other administrative processes by KHPA which are submitted to the Division of Purchases of the Department of Administration which, in turn, issues the RFP and finalizes contracts stating the terms which control the purchase of such goods or services; and

WHEREAS, this Board has determined that it could most effectively exercise its authority in the purchasing process once an RFP or other authorized procedure has been developed and before it is submitted to the Division of Purchases; and

WHEREAS, this Board has determined that the Executive Director and the Division Directors within KHPA reporting to the Executive Director can best determine those purchases of goods and services which may involve significant new policy, material changes of existing policy or amounts which exceed, "ordinary course of KHPA operations," and, therefore, merit Board consideration and action.

NOW THEREFORE, be it resolved that the KHPA Board has determined that those RFPs or other administrative processes for purchases of goods or services which, in judgment of the Executive Director, involve: i) material change of existing policy; ii) the establishment of significant new policy with respect to healthcare services; iii) an expenditure of an amount that is other than, "ordinary course of KHPA operations," or iv) any KHPA contract or grant over and above \$10 million for the life of the contract/grant, shall be submitted to, considered, and acted upon by the KHPA Board. As part of that review the Board may approve, disapprove or modify and approve the RFP or other administrative processes prior to submission to the Department of Administration. Once submitted to the Department of Administration no further action of the KHPA Board shall be required and the Executive Director or her Designee is authorized to execute a request for a Procurement Negotiating Committee (PNC) and a contract once finalized and submitted to her by Division of Purchases of the Department of Administration, unless, in the judgment of the Executive Director that contract varies materially from purchase approved by the Board.

BE IT FURTHER RESOLVED, the Executive Director is authorized to do all such acts and things necessary to exercise the powers and carry out the duties delegated herein, including the delegation of the authority granted herein to those persons within the KHPA, who have responsibility for the oversight of purchases of goods or services, subject to such limitations and requirements as may from time to time be established by the Executive Director or this Board.

BE IT FURTHER RESOLVED, that the KHPA Board confirms its duty to oversee the operations of KHPA and address itself to the development, formulation, modification, and reconsideration of policy relating to the delivery of healthcare services to the citizens of the State of Kansas.

BE IT FURTHER RESOLVED, that all actions of the Executive Director and her designees consistent with this Resolution taken on and after July 1, 2006, through the date of the adoption of this Resolution are hereby ratified and confirmed.